CLASSIFICATION OFFICE DECISION

Title of publication:	24665517EYJ.jpg_500.jpg
Other known title(s):	Not stated
OFLC ref:	1400085.007
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	13 March 2014
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	13 March 2014

Summary of reasons for decision:

The computer image is a photo of a young girl outdoors. She is earing a white beaded necklace and is naked except for a piece of red material, possibly a skirt, across her waist. Her long hair and raised knee obscure her chest.

The image has no sexual content and no evidence of a sexual purpose, and cannot reasonably be regarded as sexual in nature. A viewer's predisposition to regard any image of nudity as having a sexual meaning may result in a sexual interpretation. However, given the absence of sexual content or purpose, it would be unreasonable to conclude that this image is sexual in nature. The image raises no issues under s3(1), s3A or s3B of the Films, Videos, and Publications Classification Act 1993. The publication must, therefore, be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.